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**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION**

**IN RE:**

**CASE: 21-20679**

KELLEY NICHOLS MARSHALL  
STEVE E MARSHALL

**CHAPTER 13**

**Debtors**

**Hon. WILLIAM T. THURMAN**

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**TRUSTEE'S CONTINUING OBJECTION TO CONFIRMATION**

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The Standing Chapter 13 Trustee, hereby objects to confirmation based on the following unresolved issues:

1. It appears that the Debtor(s) are not withholding sufficient amounts to fully pay ongoing income taxes. Inadequate tax withholdings may result in a post-petition tax liability that may make it difficult to make payments under the Plan. The Trustee requests evidence of adjusted tax withholdings.

2. The Trustee requests an update regarding Kelley Marshall's employment status.

3. The Debtor(s) have listed a monthly mortgage payment on their budget. The Debtor(s) should provide proof that they are making postpetition monthly mortgage payments consistent with the budget, or they should increase the plan payment by the amount of the mortgage payment they are not making.

4. The Trustee requests information regarding the forbearance on the Debtors' mortgage and how the Debtors intend to pay back post petition payments that come due for the months of August, 2020 through April, 2021.

5. The Trustee requests information regarding the forbearance on the Debtors' mortgage and how the Debtors intend to pay back post petition payments that come due for the months of May, 2021 through July, 2021

6. The Debtor(s) are proposing to modify the value of a claim secured by a "910-vehicle" (see § 1325(a)(9)), but the creditor has not affirmatively accepted the plan as required by § 1325(a)(5) and in *In re Montoya*, 341 B.R. 41, 47 (Bankr. D. Utah 2006).

7. The Trustee requests information regarding the source of the increased Plan payment in month 6 of the Plan.

8. As of August 30, 2021, the Debtors are now \$872.00 delinquent for payments owing through August, 2021.

THEREFORE, the Trustee has an ongoing objection to the confirmation.

Dated: August 30, 2021

LAJ /S/  
LON A. JENKINS  
CHAPTER 13 TRUSTEE

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Continuing Objection to Confirmation was served upon all persons entitled to receive notice in this case via ECF Notification or by U.S. Mail to the following parties on August 30, 2021:

RYAN E. SIMPSON, ECF Notification

/s/ Sarah Anderton